

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION**

<b>In re:</b> <b>Patrick William Kelly,</b>  <b>Debtor,</b>  <b>Stephanie Lynn Kelly,</b>  <b>Joint Debtor.</b>  <b>U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust</b>  <b>Movant.</b>  <b>v.</b>  <b>Patrick William Kelly,</b>  <b>Stephanie Lynn Kelly and</b>  <b>Kenneth E. West, Trustee.</b>  <b>Respondents.</b>	<b>Bankruptcy No. 19-13401-elf</b>  <b>Chapter 13</b>
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**AFFIDAVIT OF DEFAULT**

STATE OF Florida

COUNTY OF Duval

PERSONALLY APPEARED before the undersigned officer duly authorized to administer oaths, Isiah Berry Bankruptcy Specialist, who after being duly sworn deposes and states as follows:

1. My name is Isiah Berry Bankruptcy Specialist, and I am an authorized signor for U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust, (hereinafter "Secured Creditor"). As part of my job responsibilities for Secured Creditor, I have personal knowledge of and am familiar with the types of records maintained by Secured Creditor in connection with the account that is the subject of this Affidavit (the "Account") and the procedures for creating those types of records. I have access to and have reviewed the books, records and files of Secured Creditor that pertain to the Account and


extensions of credit given to Debtor(s) concerning the property securing such Account. I make this Affidavit for under in connection with and Order entered by the Honorable Eric L. Frank on or about February 7, 2020.

2. On or about March 14, 2022, Secured Creditor sent a Notice of Default to Debtor and Debtor's Attorney as required by the aforementioned Order. A copy of said Notice of Default is annexed hereto and made a part hereof as Exhibit "B".
3. I hereby confirm that the Debtors/ Respondents, **Patrick William Kelly & Stephanie Lynn Kelly** have failed to comply with the aforementioned Order in that Respondents have failed to cure the total arrears owed to Secured Creditor in the amount of \$3,281.74 as required by said order, through most March 1, 2022.
4. Upon the expiration of fourteen (14) days without the filing of a counter affidavit by the Debtor disputing the fact of the default, Secured Creditor seeks an order entered lifting the automatic stay.

Further, Affiant sayeth not.

  
Affiant  
Isiah Berry

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 31<sup>st</sup> DAY of March 2022

  
Notary Public Genevieve A. Jacobs  
My Commission Expires: 3/13/2026

